

REMARKS

Applicants acknowledge the allowance of Claims 1-10, 12-14, 16 and 17 as set forth in item 8 of the Office Action. Accordingly, in view of the amendments set forth hereinabove, and for the reasons set forth hereinafter, Applicants respectfully submit that this application is now in condition for allowance.

Claims 19-21 and 23 have been rejected under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the invention, on the ground that a single claim which claims both an apparatus and the method steps of using the apparatus is indefinite. By the foregoing amendment, Claims 19-21 have been cancelled, and to that extent, this ground of rejection has been rendered moot. Claim 23, however, is believed to have been included in this rejection through an oversight. That is, Claim 23 is a method claim which simply recites a further method step limitation with regard to Claim 1, also a method claim, from which it depends. Accordingly, Applicants respectfully submit that Claim 23 is clear and definite, and is allowable by virtue of its dependence upon allowed Claim 1.


Similarly, the rejection of Claims 19-21 and 23 for allegedly failing to define statutory subject matter within the meaning of 35 U.S.C. § 101 is believed to have been rendered moot by the cancellation of Claims 19-21, to the extent that this ground of rejection applies to those claims. On the other hand, as noted previously, Claim 23 does not overlap two different statutory classes of

invention, since it is a method claim which depends from a method claim, and further limits the parent claim by reciting an additional step. Accordingly, Applicants believe that Claim 23 was included in this ground of rejection through an oversight. Applicants respectfully submit that it is allowable by virtue of its depending from allowed Claim 1 as noted previously.

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038819.50649).

Respectfully submitted,



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